



UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

United States of America)

v.)

Case No. 8:15-MJ-450 (GLF)

MOHAMMED, Mahmoud Ali)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of November 28th, 2015 in the county of Clinton in the NORTHERN District of NEW YORK, the defendant violated 8 U. S. C. § 1325(a)(1), an offense described as follows:

MOHAMMED, Mahmoud Ali, an alien, entered the United States from Canada, at a time and place other than as designated by United States Immigration Officers, for the entrance of immigrants into the United States.

This criminal complaint is based on these facts:

On November 28th, 2015 at approximately 4:00 PM, Champlain Border Patrol Agents (BPAs) received a call from Swanton Sector Dispatch (KAD 640) that a taxi had picked up a person at the Amtrak Station in Plattsburgh, New York who was destined for Roxham Road in Champlain, New York. Roxham Road is a road that runs north and south, it is intersected by the United States and Canada border. At the United States and Canada border there are rock blockades and a trench accompanied by signs clearly demarcating the international boundary. BPAs Adam Grennan, Gregg De Feo, and Kevin Dubuque encountered the subject, later identified as MOHAMMED, Mahmoud Ali, at the intersection of Perry Mills Road and North Star Road. The subject told Agents that he entered the United States at Washington-Dulles airport in Washington D.C., and that he intended to go to Canada to attempt to gain asylum status. Agents released the subject after they determined that he had a valid B2 Visa. Royal Canadian Mounted Police (RCMP) were notified of a possible illegal entry headed their way.

X Continued on the attached sheet.

Complainant's signature

Cindy Reyna, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: November 30, 2015

Judge's signature

City and state: Plattsburgh, New York

Gary L. Favro, U.S. Magistrate Judge, N.D.N.Y.

Printed name and title

Continuation Sheet for United States of America V. MOHAMMED, Mahmoud Ali

At approximately 4:55 PM the subject was seen entering Canada via Roxham Road. KAD 640 confirmed the departure of the subject via remote surveillance placed in that area. Shortly after, it was determined that the subject had turned around and was now travelling southbound into the United States. BPA Dubuque responded to the area and encountered the subject walking southbound in the United States. BPA Dubuque had recognized the subject from the previous encounter and placed the subject under arrest for entering the United States without inspection. The subject was then transported to the Champlain Border Patrol Station for further processing.

Records checks confirmed that MOHAMMED, Mahmoud Ali is a citizen of Eritrea. Mohammed was legally admitted to the United States at the Washington-Dulles airport in Washington D.C. as a B2 visitor on November 25, 2015. MOHAMMED's visitor status was set to expire on May 24, 2016 but he relinquished his status when he voluntarily left the country. Upon re-entering the United States on November 28, 2015 MOHAMMED eluded inspection by crossing the international border at a place other than designated by the United States Secretary of State as a legal port of entry.